



House of Representatives

General Assembly

File No. 510

January Session, 2009

Substitute House Bill No. 6419

House of Representatives, April 6, 2009

The Committee on Human Services reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE POLICIES, PRACTICES AND PROCEDURES OF THE DEPARTMENT OF CHILDREN AND FAMILIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) The Commissioner of
2 Children and Families shall submit, in accordance with the provisions
3 of section 11-4a of the general statutes and within available
4 appropriations, an annual report to the select committee of the General
5 Assembly having cognizance of matters relating to children regarding
6 (1) the results of Connecticut comprehensive objective reviews
7 conducted by the Department of Children and Families, including any
8 recommendations contained in such reviews and any steps taken by
9 the department to implement such recommendations; (2) the aggregate
10 data from each administrative case review, including any information
11 regarding the strengths and deficiencies of the department's case
12 review process; and (3) any steps the department is taking to address
13 department-wide deficiencies.

14 Sec. 2. (NEW) (*Effective October 1, 2009*) The Commissioner of
15 Children and Families shall (1) determine measurable outcomes for
16 each type of service provided by a private provider pursuant to such
17 provider's contract with the Department of Children and Families; (2)
18 incorporate such outcomes into the department's contract with each
19 such provider; and (3) include achievement of such outcomes and
20 other quality indicators in annual evaluations of each such provider.
21 The department shall, annually, submit a report, in accordance with
22 section 11-4a of the general statutes, to the joint standing committee of
23 the General Assembly having cognizance of matters relating to human
24 services on the department's progress in implementing such steps,
25 including (A) the number of service types with outcomes, (B) the types
26 of outcomes, (C) the incorporation of such outcomes into contracts,
27 and (D) the application of outcome information into quality
28 improvement.

29 Sec. 3. (NEW) (*Effective October 1, 2009*) The Department of Children
30 and Families shall include the following information in each document
31 of the department entitled study in support of permanency plan and
32 status report for permanency planning team, except when otherwise
33 directed by the Juvenile Court: (1) A description of any problems or
34 offenses that necessitated the placement of the child with the
35 department; (2) a description of the type and an analysis of the
36 effectiveness of the care, treatment and supervision that the
37 department has provided for the child; (3) a list of each placement
38 made since the child has been in the care, custody or control of the
39 department and the length of time the child has spent in each
40 placement; (4) a list of every school the child has attended since the
41 child has been in the care, custody or control of the department and
42 the length of time the child has spent in each school; (5) for each child
43 in substitute care, the current visitation schedule between the child and
44 his parents and siblings; (6) a description of every effort taken by the
45 department to reunite the child with a parent or to find a permanent
46 placement for the child, including, where applicable, every effort to
47 assist each parent in remedying factors that contributed to the removal
48 of the child from the home; (7) a proposed timetable for reunification

49 of the child and a parent, a permanent placement if continued
50 substitute care is recommended or a justification of why extended
51 substitute care is necessary; and (8) whether the child has been visited
52 no less frequently than every three months by a state or private agency
53 if the child has been placed in foster care outside this state.

54 Sec. 4. Section 46b-129 of the general statutes is amended by adding
55 subsection (r) as follows (*Effective October 1, 2010*):

56 (NEW) (r) In any proceeding under this section, the Department of
57 Children and Families shall provide notice to every attorney of record
58 for each party involved in the proceeding when the department seeks
59 to transfer a child or youth in its care, custody or control to an out-of-
60 state placement.

61 Sec. 5. Subdivision (2) of subsection (k) of section 46b-129 of the
62 general statutes is repealed and the following is substituted in lieu
63 thereof (*Effective October 1, 2009*):

64 (2) At a permanency hearing held in accordance with the provisions
65 of subdivision (1) of this subsection, the court shall approve a
66 permanency plan that is in the best interests of the child or youth and
67 takes into consideration the child's or youth's need for permanency.
68 The child's or youth's health and safety shall be of paramount concern
69 in formulating such plan. Such permanency plan may include the goal
70 of (A) revocation of commitment and reunification of the child or
71 youth with the parent or guardian, with or without protective
72 supervision; (B) transfer of guardianship; (C) long-term foster care
73 with a relative licensed as a foster parent or certified as a relative
74 caregiver; (D) adoption and filing of termination of parental rights; or
75 (E) such other planned permanent living arrangement ordered by the
76 court, provided the Commissioner of Children and Families has
77 documented a compelling reason why it would not be in the best
78 interest of the child or youth for the permanency plan to include the
79 goals in subparagraphs (A) to (D), inclusive, of this subdivision. Such
80 other planned permanent living arrangement may include, but not be
81 limited to, placement of a child or youth in an independent living

82 program or long term foster care with an identified foster parent.
 83 When any such permanency plan includes the goal of revocation of
 84 commitment and reunification of the child or youth with the parent or
 85 guardian, the Department of Children and Families shall permit the
 86 parent to visit with the child or youth at least once a week in a
 87 designated place.

88 Sec. 6. Subsection (a) of section 17a-111b of the general statutes is
 89 repealed and the following is substituted in lieu thereof (*Effective*
 90 *October 1, 2010*):

91 (a) The Commissioner of Children and Families shall make
 92 reasonable efforts to [reunify] reunite a parent with a child and permit
 93 the parent to visit with the child at least once a week in a designated
 94 place unless the court (1) determines that such efforts are not required
 95 pursuant to subsection (b) of this section or subsection (j) of section
 96 17a-112, or (2) has approved a permanency plan other than
 97 reunification pursuant to subsection (k) of section 46b-129.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	New section
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>October 1, 2009</i>	New section
Sec. 4	<i>October 1, 2010</i>	46b-129
Sec. 5	<i>October 1, 2009</i>	46b-129(k)(2)
Sec. 6	<i>October 1, 2010</i>	17a-111b(a)

KID Joint Favorable Subst. C/R

HS

HS Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Children & Families, Dept.	GF - Cost	Indeterminate	Indeterminate

Note: GF=General Fund

Municipal Impact: None

Explanation

The Department of Children and Families will incur costs to compile data tracking each child's placement history, schools attended and length of time in each placement and school as required by Section 3. These costs, which cannot be quantified at this time, would be associated with additional staff time and/or computer systems modifications.

No funding has been included within sHB 6365, the FY 10-11 Biennial Budget, as favorably reported by the Appropriations Committee, for purposes of Section 3.

Enactment of provisions within Sections 1, 2, and 4-6 will result in no fiscal impact.

The Out Years

Should staff resources be relied upon to compile the required data, costs would continue into the future subject to inflation.

Sources: 2/19/09 Public Hearing Testimony; Department of Children and Families.

OLR Bill Analysis**sHB 6419*****AN ACT CONCERNING THE POLICIES, PRACTICES AND PROCEDURES OF THE DEPARTMENT OF CHILDREN AND FAMILIES.*****SUMMARY:**

This bill makes several unrelated changes in statutes governing the Department of Children and Families (DCF). It requires the department to:

1. include specific information in permanency plan documents,
2. permit weekly visitation between parents and children, and
3. notify all attorneys of record when it decides to transfer a child to an out-of-state facility.

Beginning on unspecified dates, it requires DCF to file annual reports with the (1) Children's Committee on its case review findings and (2) Human Services Committee on its progress in incorporating measurable outcomes into contracts with providers.

EFFECTIVE DATE: October 1, 2009, except the provisions concerning out-of-state transfers and visitation prior to adopting a permanency plan of reunification are effective October 1, 2010.

§ 3 — PERMANENCY PLANNING

State and federal laws require DCF to establish and periodically revise permanency plans for children in its care or custody. This includes abused and neglected children, delinquents, and children in its voluntary services program (i.e., children whose mental health needs could not otherwise be met).

Permanency Plan Documents

The bill requires all DCF documents entitled “Study in Support of Permanency Plan” or “Status Report for Permanency Planning Team” to contain:

1. a description of any problems or offenses that caused the child to be placed under DCF’s custody, control, or supervision;
2. a description of the type and an analysis of the effectiveness of its care, treatment, and supervision of the child;
3. a list of each placement made and school attended since the child has been in DCF care, custody, or control and how long the child spent in each placement;
4. for each child in substitute care, the current visitation schedule between the child and his or her parents and siblings;
5. a description of every effort DCF has taken to reunify the child with a parent or find a permanent placement, including, where applicable, every effort to assist the parent in remedying factors that contributed to the child’s removal from the home; and
6. a proposed timetable for reunification of the child and parent, a permanent placement if continued substitute care is recommended, or a justification for why extended substitute care is necessary.

If a child is in an out-of-state placement, the plans must indicate whether he or she has been visited at least every three months by a state or private agency worker.

§§ 5 & 6 — Visitation

The bill requires DCF to allow a parent to visit with his or her child at least once a week in a designated place when the child’s permanency plan includes the goal of reunification. Beginning October 1, 2010, it requires DCF to permit a parent to meet with his or her child at an earlier point in the proceedings. It must permit weekly parent-

child visitation for all families being investigated in abuse and neglect cases unless the court determines that reunification efforts are not required or has approved a permanency plan other than reunification.

§§ 1 & 2 — ANNUAL REPORTS

Case Reviews

The bill requires annual reports to the Children's Committee on:

1. the results of Connecticut comprehensive objective reviews (internal qualitative reviews), including any recommendations contained in the reviews and any steps DCF has taken to implement them;
2. aggregate data from each administrative case review, including any information on the strengths and deficiencies of its case review process; and
3. steps DCF is taking to address department-wide deficiencies.

Provider Contracts

The bill requires DCF to determine measurable outcomes for each type of service it provides. The department must incorporate them in each contract with providers and include achievement of the outcomes and other quality indicators in its annual review of each provider.

The bill directs the DCF commissioner to file annual reports with the Human Services Committee on its efforts to determine measurable outcomes and incorporate them in provider contracts. Reports must also include:

1. the number of service types with outcomes,
2. the types of outcomes, and
3. the application of outcome information to quality improvement.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference
Yea 11 Nay 0 (03/03/2009)

Human Services Committee

Joint Favorable Substitute
Yea 15 Nay 4 (03/19/2009)